

Washington State Patrol Media Release

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"Wheelchair Conveyance"

Revised Code of Washington (RCW) 46.04.710 states "'Wheelchair conveyance' means any vehicle specially manufactured or designed for transportation of a physically or medically impaired person who is either wheelchair-bound or otherwise walking impaired. The vehicle may be a separate vehicle used in lieu of a wheelchair or a vehicle used for transporting the impaired person who is simultaneously occupying a wheelchair. The vehicle shall be equipped with a propulsion device capable of propelling the vehicle within a speed range established by the state patrol. The state patrol may approve and define as a wheelchair conveyance, a vehicle that fails to meet these specific criteria but is essentially similar in performance and application to vehicles that do meet these specific criteria."

Specific criteria for a wheelchair conveyance are outlined in Washington Administrative Code (WAC) 204-92. The requirements include: if designed to travel on four wheels in contact with the ground it must meet motor vehicle equipment requirements as outlined in RCW 46.37; if designed to travel on not more than three wheels in contact with the ground it must meet equipment requirements as outlined for in RCW 46.37 and 46.61 as related to motorcycles, motor-driven cycles and mopeds; and must have two rear view mirrors and turn signals. The wheelchair conveyance must also have a propulsion device capable of propelling the vehicle at a minimum speed of twenty miles per hour on level ground. The WAC and RCWs may be viewed by accessing slc.leg.wa.gov.

Wheelchair conveyances may not be operated on any public roadway with a posted speed limit in excess of thirty-five miles per hour may only be operated by the wheelchair-bound person and when operating on a roadway is granted all the rights and is subject to all duties applicable to the driver of a vehicle (RCW 46.61.730). Wheelchair conveyances may not be operated on sidewalks or any area prohibiting the use of a motorized vehicle.

In contrast a power wheelchair is defined in RCW 46.05.415 as, "...any self-propelled vehicle capable of traveling no more than fifteen miles per hour, usable indoors, designed as a mobility aid for individuals with mobility impairments, and is operated by such an individual." A power wheelchair falls under the definition of a pedestrian, so it may be operated on sidewalks, trails and other areas used by pedestrians.

Failure to operate a wheelchair conveyance as outlined is a traffic infraction.

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